IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND

UNITED STATES OF AMERICA	:	
	:	
v.	:	Criminal No. 1:08-MJ-04DLM
	:	
RAFAEL O. GUZMAN	:	

ORDER

The United States of America and the defendant have requested an order granting a continuance of the proceedings in the above-captioned matter until March 6, 2008. The parties made this request so as to permit them to continue plea negotiations and to finalize a plea agreement.

The defendant is aware that he has the right to have the matter submitted to a grand jury for indictment within 30 days of his arrest on the complaint pursuant to Title 18 of the United States Code, Section 3161(b). The defendant was arrested on January 4, 2008 and the 30 day period expires February 3, 2008. Knowing his right to indictment within 30 days, the defendant has waived that right by his counsel's consent to this Order.

Thus, it is the finding of this Court that this action should be continued for a period of 33 days for the following reasons:

1. Plea negotiations currently are in progress, and both the United States and the defendant desire additional time to finalize the plea agreement, which would thereby render trial of this matter unnecessary.

2. Defendant has consented to the aforementioned

continuance.

3. The grant of a continuance will likely conserve judicial resources. Pursuant to Title 18 of the United States Code, Section 3161(h)(8), the ends of justice served by granting the continuance outweigh the best interests of the public and the defendant in a speedy trial.

On this 18th day of January, 2008, it is ORDERED that the proceedings scheduled in the above-captioned matter are continued from February 3, 2008 through March 6, 2008; and

IT IS FURTHER ORDERED that the period from February 3, 2008 through March 6, 2008 shall be excludable in computing time under the Speedy Trial Act of 1974.

David L Martin
DAVID L. MARTIN
United States Magistrate Judge

Consented to:

/s/ John E. MacDonald
JOHN E. MACDONALD
Counsel for Timothy Falcon

/s/ Sandra R. Beckner
SANDRA R. BECKNER
Assistant U.S. Attorney